

VANNAH & VANNAH  
400 South Fourth Street, 6<sup>th</sup> Floor • Las Vegas, Nevada 89101  
Telephone (702) 369-4161 Facsimile (702) 369-0104

1 ROBERT VANNAH, ESQ.  
NEVADA BAR NO. 002503  
2 ROGER M CRAM, ESQ.  
NEVADA BAR NO. 006612  
3 VANNAH & VANNAH  
4 400 South Fourth Street, 6<sup>th</sup> Floor  
Las Vegas, Nevada 89101  
5 Telephone: (702) 369-4161  
Facsimile: (702) 369-0104  
6 Attorneys for Plaintiff

7 UNITED STATES DISTRICT COURT

8 DISTRICT OF NEVADA

9 DANIEL STEIN,

10 Plaintiff,

11 vs.

12  
13 GEICO GENERAL INSURANCE COMPANY, a  
foreign corporation; DOES I through X, inclusive,  
14 and ROE CORPORATIONS I through X,  
inclusive,

15 Defendants.  
16

CASE NO.: 2:10-cv-00462-JCM-LRL

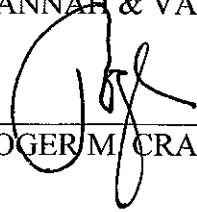
AMENDED MOTION TO WITHDRAW  
AS COUNSEL

17 ROBERT D. VANNAH, ESQ., and ROGER M. CRAM, ESQ., of VANNAH &  
18 VANNAH, as well as CHAD M. GOLIGHTLY, ESQ., of GOLIGHTLY, LTD., hereby move to  
19 withdraw as attorneys of record for Plaintiff DANIEL STEIN pursuant to Nevada Supreme Court  
20 Rule 46 and 166.  
21

22 This Motion is made and based upon the following Points and Authorities, and upon the  
23 Affidavit of Roger M. Cram, Esq., attached hereto.

24 Dated this 19<sup>th</sup> day of October, 2010.

25 VANNAH & VANNAH


26  
27   
28 ROGER M. CRAM, ESQ.

**NOTICE OF MOTION**

PLEASE TAKE NOTICE that the undersigned will bring the Motion to Withdraw for hearing before the above-entitled Court on the \_\_\_\_ day of \_\_\_\_\_, 2010, at the hour of \_\_\_\_\_, or as soon thereafter as counsel may be heard.

Dated this 19th day of October, 2010.

VANNAH & VANNAH

  
\_\_\_\_\_  
ROGER M. CRAM, ESQ.

**MEMORANDUM OF POINTS AND AUTHORITIES**

**I. ARGUMENT**

S.C.R. 46 provides in pertinent part:

The attorney in an action or special proceeding may be changed at any time before judgment or final determination as follows:

2. Upon the order of the court or judge thereof on the application of the attorney or the client....

S.C.R. 166 provides in pertinent part:

2. [A] lawyer may withdraw from representing a client if withdrawal can be accomplished without material adverse effect on the interests of the client. . .
- ...
4. Upon termination of representation, a lawyer shall take steps to the extent reasonably practicable to protect a client's interests, such as giving reasonable notice to the client, allowing time for employment of other counsel. . . .

A material communication breakdown has developed between movants and Plaintiff. This breakdown makes it impossible for Plaintiff's counsel to continue representing Plaintiff in this matter. Thus, following further review, Robert D. Vannah, Esq., Roger M. Cram, Esq., and Chad M. Golightly, Esq., wish to discontinue representing Plaintiff in this matter.

The withdrawal of Robert D. Vannah, Esq., Roger M. Cram, Esq., and Vannah & Vannah, as well as Chad M. Golightly, Esq., from Golightly, Ltd., will not materially affect the interests of

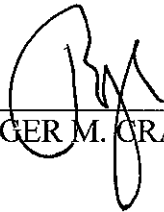
1 Plaintiff, since avenues of effective communication and representation have broken down.  
 2 Plaintiff's attorneys of record have provided an affidavit stating the last known address of Plaintiff  
 3 DANIEL STEIN, which is: 2201 Dogwood Ranch Avenue, Henderson, Nevada 89052.

4 **II. CONCLUSION**

5 Plaintiff's attorneys of record, Robert D. Vannah, Esq., Roger M. Cram, Esq., and Chad M.  
 6 Golightly, Esq., respectfully request this Honorable Court to grant this Motion to Withdraw as  
 7 counsel for Plaintiff DANIEL STEIN.  
 8

9 DATED this 19th day of October, 2010.

10 VANNAH & VANNAH

11   
 12 \_\_\_\_\_  
 13 ROGER M. CRAM, ESQ.  
 14

15 THE MOTION TO WITHDRAW (#22) IS GRANTED PLAINTIFF SHALL  
 16 HAVE UNTIL DECEMBER 10, 2010 TO RETAIN NEW COUNSEL.  
 17

18 **IT IS SO ORDERED.**

19   
 20 \_\_\_\_\_  
 21 **UNITED STATES MAGISTRATE JUDGE**  
 22 **DATED:** 10-27-10  
 23  
 24  
 25  
 26  
 27  
 28

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**AFFIDAVIT OF ROGER M. CRAM, ESQ.,**  
**IN SUPPORT OF AMENDED MOTION TO WITHDRAW AS COUNSEL**

STATE OF NEVADA            )  
   )  
 COUNTY OF CLARK         )           ss.

ROGER M. CRAM, ESQ., being first duly sworn, deposes and states the following:

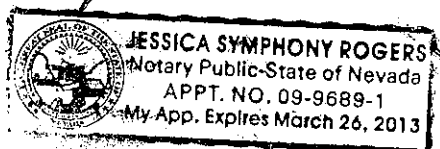
1. I am an attorney-at-law, duly licensed to practice in all courts in the State of Nevada.  
 I am an attorney of record for the Plaintiff herein. I have personal knowledge of the facts hereinafter set forth, and I am competent to testify to the same.
2. Robert D. Vannah, Esq. and I, from Vannah & Vannah law firm, were retained by Plaintiff in the above-captioned matter in February of 2010.
3. I, as well as Robert D. Vannah, Esq., and Chad M. Golightly, Esq., wish to discontinue representation of Plaintiffs in this case due to communication issues with the plaintiff.
4. Daniel Stein's last known address is: 2201 Dogwood Ranch Avenue, Henderson, Nevada 89052.
5. A copy of this Amended Motion will be sent certified mail to the Plaintiff today, October 19, 2010.

FURTHER AFFIANT SAYETH NAUGHT.

\_\_\_\_\_  
 ROGER M. CRAM, ESQ.

SUBSCRIBED and SWORN TO before me this 19<sup>th</sup> day of October, 2010.

\_\_\_\_\_  
 NOTARY PUBLIC



**CERTIFICATE OF SERVICE**

Pursuant to FRCP 5(b), I certify that on this date, I served the foregoing **AMENDED MOTION TO WITHDRAW AS COUNSEL** on all parties to this action by:

☒ Facsimile

☒ Mail

addressed as follows:

Carrie McCrea Hanlon, Esq.  
Pyatt, Silvestri & Hanlon  
701 Bridger Ave., Suite 600  
Las Vegas, NV 89101  
Facsimile: (702) 477-0088  
**Attorneys for Defendant GEICO  
INSURANCE CO., as to the first  
claim for relief only**

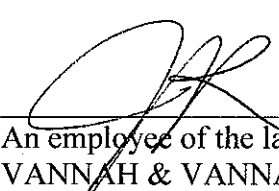
Jack G. Angaran, Esq.  
Kristie A. Tappan, Esq.  
Brian A. Gonsalves, Esq.  
Georgeson Angaran, CHTD.  
5450 Longley Lane  
Reno, NV 89511  
Facsimile: (775) 827-9256  
**Attorneys for Defendant GEICO  
GENERAL INSURANCE CO., as to the  
second and third claims for relief only**

Chad M. Golightly, Esq.  
Golightly, Ltd.  
8560 S. Eastern Ave, Suite 240  
Las Vegas, NV 89123  
Facsimile: (702) 961-7766  
**Attorneys for Plaintiff**

Daniel Stein  
2201 Dogwood Ranch Avenue  
Henderson, Nevada 89052

**Via certified mail only**

Dated this 19<sup>th</sup> day of October, 2010.

  
An employee of the law firm of  
VANNAH & VANNAH

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